

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

JIMMIE LEE CUDJO, #1563921 §  
VS. § CIVIL ACTION NO. 6:15cv1162  
JACQUELINE HAMMOND, ET AL. §

## ORDER ADOPTING REPORT AND RECOMMENDATION

Plaintiff Jimmie Lee Cudjo, a prisoner currently confined in the Texas prison system, proceeding *pro se* and *in forma pauperis*, filed the above-styled and numbered civil lawsuit. In response, Defendants Hammond and Smalley filed a motion for partial summary judgment limited to the issue of exhaustion (Dkt. #60).

The motion was referred to United States Magistrate Judge K. Nicole Mitchell, who issued a Report and Recommendation concluding that Defendants Hammond and Smalley's motion for partial summary judgment limited to the issue of exhaustion (Dkt. #60) should be denied. (Dkt. #102). The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of the motion, has been presented for consideration, and no objections thereto having been timely filed, the court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the court. It is accordingly

**ORDERED** that the Report and Recommendation (Dkt. #102) is **ADOPTED**. It is further  
**ORDERED** that Defendants Hammond and Smalley's motion for partial summary judgment  
limited to the issue of exhaustion (Dkt. #60) is **DENIED**.

## **So Ordered and Signed**

Apr 16, 2018

Ron Clark

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Ron Clark, United States District Judge